

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.09 - MEDICAID BASIC PLAN BENEFITS

DOCKET NO. 16-0309-0801

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of this temporary rule is July 1, 2008.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Sections 56-202(b), 56-203, 56-209I, 56-250 through 257, and 56-1003, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

TUESDAY - OCTOBER 14, 2008 - 3:30 pm

**DEPARTMENT OF HEALTH & WELFARE
Medicaid Office - Conference Room D-West
3232 Elder Street, Boise, ID**

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The Office of Drug Policy has determined substance abuse is a major problem in Idaho, and the 2008 Legislature appropriated funds to provide services through the medical assistance program for treatment of substance abuse. These rules provide the criteria for eligibility, types of treatment services to be covered, and any limitations for substance abuse services that will be provided to an eligible Medicaid participant with a substance abuse problem under the Medicaid Basic Plan.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1)(b) and (c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate because of changes to state law and it confers a benefit to individuals who have a substance abuse problem.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year.

The state's matching funds fiscal impact for Substance Abuse Treatment and Prevention is \$963,600, as appropriated by the 2008 Legislation.

NEGOTIATED RULEMAKING: Pursuant to 67-5220, Idaho Code, negotiated rulemaking was not conducted because these changes were required by state law and confer a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact Pat Guidry at (208) 364-1813.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2008.

DATED this 20th day of August, 2008.